

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Matt Luiken and Jon Sandquist
on behalf of themselves, all others
similarly situated, and the Proposed
Minnesota Rule 23 Class,

Case No. 09-cv-00516 (DWF/TNL)

Plaintiffs,

**JOINT STIPULATION FOR
TEMPORARY STAY**

vs.

Domino's Pizza LLC,

Defendant.

The parties to the above-captioned matter, through their counsel, hereby stipulate and agree as follows:

WHEREAS, Defendant intends to file a petition in the United States Court of Appeals for the Eighth Circuit pursuant to Federal Rule of Civil Procedure 23(f) seeking permission to appeal from the Court's November 14, 2011 Order (Docket No. 469) granting Plaintiffs' Motion for Class Certification (Docket. No. 442); and

WHEREAS, the parties are in agreement that the proceedings in this matter should be stayed until the Court of Appeals has issued a ruling on such petition and, if necessary, on any resulting appeal;

THEREFORE, the parties hereby jointly and respectfully request:

1. That the Court issue an Order in the form of the Proposed Order attached hereto staying proceedings in this matter, including but not limited to all pending fact and

expert discovery, until the Court of Appeals has issued a ruling on Defendant's anticipated petition pursuant to Federal Rule of Civil Procedure 23(f) and, if such petition is granted, on any resulting appeal; and

2. That the Court further Order, as provided in the Proposed Order attached hereto, that upon issuance of a ruling or rulings by the Court of Appeals as described above, the parties meet and confer within (14) fourteen calendar days to discuss an amended pretrial scheduling order, pending discovery issues and deadlines, rescheduling motions, and establishing new briefing schedules, and jointly file a proposed amended pretrial scheduling order with the Court within seven (7) calendar days after the parties meet and confer. If necessary after the Court of Appeals has issued a ruling or rulings as described above, the parties also shall submit a joint proposed notice regarding class certification to the Court within seven (7) calendar days after the parties meet and confer. If the parties are unable to agree on the content of the notice, the parties shall each submit a proposed notice, together with briefing not to exceed ten (10) pages per side, within (14) fourteen days after the parties meet and confer.

Dated: November 28, 2011

s/ Tracey Holmes Donesky
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